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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/949,999	09/12/2001	Masashi Kanai	4468-024	9123

7590

12/03/2003

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EXAMINER

PRIZIO JR, PETER

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 12/03/2003

8

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/949,999

Applicant(s)

KANAI, MASASHI

Examiner

Peter Prizio

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because the abstract must be no longer than 150 words and only one paragraph. Correction is required. See MPEP § 608.01(b).

Claim Objections

1. Claim 16 is objected to because of the following informalities: The phrase "said desired input" in line 1 lacks antecedent basis for the claims. Appropriate correction is required. If claim 16 were to be dependent upon claim 15 instead of 12, the objection would be withdrawn. Further, claim 16 will be treated as if dependent upon claim 15.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 4, 16, 26 and 36 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "in the vicinity thereof" in line 2 is indefinite.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-40 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 4,386,345 to Narveson et al. (Narveson).
6. With regards to claims 1, 2, 12, 13, 15, 24, 34, Narveson (Fig. 1) teaches measuring tone reproduction characteristics (31) under a known illumination value (32), characteristic approximating (column 5, lines 24 – 47), correction curve generating (column 5, lines 4 – 23), and storing means for storing a plurality of correction curves in a computer readable medium (27).
7. Regarding claims 3-11, as applied to claim 2 above, Narveson (Fig. 1) teaches plural correction curves (column 7, line 34 – column 8, line 49 and Fig. 3a and 3b), an input tone range comprising a middle tone range (Fig. 3a), normalizing, rounding and approximating correction curves where the amount of rounding and approximating is adjustable (column 5, lines 4 – 47, primarily the interpolation and smoothing), a selecting step of selecting one of plural correction curves (column 9, line 43 – column 10, line 9), an inputting step of inputting the luminance value (column 7, lines 34 – 61) and a measuring step of measuring the luminance value (column 7, lines 34 – 61).
8. Regarding claims 14, 17-23, as applied to claim 12 above, Narveson teaches plural correction curves (column 7, line 34 – column 8, line 49 and Fig. 3a and 3b), normalizing, rounding and approximating correction curves where the amount of rounding and approximating is adjustable (column 5, lines 4 – 47, primarily the interpolation and smoothing), a selecting step of selecting one of plural correction curves (column 9, line 43 – column 10, line 9), an inputting step of inputting the

luminance value (column 7, lines 34 – 61) and a measuring step of measuring the luminance value (column 7, lines 34 – 61).

9. Regarding claim 16, as applied to claim 15 above Narveson teaches an input tone range comprising a middle tone range (Fig. 3a).

10. Regarding claims 25 - 33, as applied to claim 24 above, Narveson (Fig. 1) teaches plural correction curves (column 7, line 34 – column 8, line 49 and Fig. 3a and 3b), an input tone range comprising a middle tone range (Fig. 3a), normalizing, rounding and approximating correction curves where the amount of rounding and approximating is adjustable (column 5, lines 4 – 47, primarily the interpolation and smoothing), a selecting step of selecting one of plural correction curves (column 9, line 43 – column 10, line 9), an inputting step of inputting the luminance value (column 7, lines 34 – 61) and a measuring step of measuring the luminance value (column 7, lines 34 – 61).

11. Regarding claims 35-40, as applied to claim 34 above, Narveson (Fig. 1) teaches plural correction curves (column 7, line 34 – column 8, line 49 and Fig. 3a and 3b), an input tone range comprising a middle tone range (Fig. 3a), and normalizing, rounding and approximating correction curves where the amount of rounding and approximating is adjustable (column 5, lines 4 – 47, primarily the interpolation and smoothing).

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following US Patents are included to further illustrate the state of the art in self-adjusting display devices:

US Patent 6,411,306 to Miller et al.

US Patent 6,094,185 to Shirriff

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Prizio whose telephone number is (703) 305-5712. The examiner can normally be reached on Monday-Friday (7:30-5:00), alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (703) 305-4709. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Peter Prizio

Examiner

Art Unit 2674

PP



RICHARD HJERPE
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